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ADVANCEMENT OF WOMEN

Argentina, Bangladesh, Costa Rica, Côte d'Ivoire, Dominican Republic, El Salvador, Guinea-Bissau, Marshall Islands, Philippines and Portugal: draft resolution

Violence against women migrant workers

The General Assembly,

Recalling all previous resolutions on violence against women migrant workers adopted by the General Assembly, the Commission on the Status of Women and the Commission on Human Rights, as well as the Declaration on the Elimination of Violence against Women, 1/

Affirming the conclusions of the World Conference on Human Rights, the International Conference on Population and Development, the World Summit for Social Development and the Fourth World Conference on Women, specifically as they pertain to women migrant workers,

Taking note of the section concerning women migrant workers in the report of the Special Rapporteur of the Commission on Human Rights on contemporary forms of racism, racial discrimination, xenophobia and related intolerance, 2/ as well as the report of the Subcommission's Working Group on Contemporary Forms of Slavery, 3/ in particular its observations on the treatment of migrant workers,

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1/ Resolution 48/104.

2/ A/51/301.

3/ E/CN.4/Sub.2/1995/28 and Add.1.

Conscious of the great importance given to the promotion and protection of the human rights of persons belonging to groups which have been rendered vulnerable, including migrant workers, the elimination of all forms of discrimination against them, and the strengthening and more effective implementation of existing human rights instruments,

Noting the large numbers of women from developing countries and from some countries in transition who continue to venture forth to more affluent countries in search of a living for themselves and their families as a consequence of poverty, unemployment and other socio-economic conditions, and acknowledging the duty of sending States to work for conditions that provide employment and security to their citizens,

Acknowledging the economic benefits that accrue to sending and receiving States from the employment of women migrant workers,

Concerned by the continuing reports of grave abuses and acts of violence committed against the persons of women migrant workers by some employers in some host countries,

Encouraged by some measures adopted by some receiving States to alleviate the plight of women migrant workers residing within their areas of jurisdiction,

Reiterating that acts of violence directed against women impair or nullify their enjoyment of their human rights and fundamental freedoms,

1. Takes note of the report of the Secretary-General on violence against women migrant workers; 4/

2. Welcomes, with appreciation, the holding of an expert group meeting on violence against women migrant workers at Manila from 27 to 31 May 1996;

3. Determines to prevent and eliminate all forms of violence against women and girls;

4. Encourages Member States to enact and/or reinforce penal, civil, labour and administrative sanctions in domestic legislation to punish and redress the wrongs done to women and girls who are subjected to any form of violence, whether in the home, the workplace, the community or society;

5. Also encourages Member States to adopt and/or implement and periodically to review and analyse legislation to ensure its effectiveness in eliminating violence against women, emphasizing the prevention of violence and the prosecution of offenders, and to take measures to ensure the protection of women subjected to violence and their access to just and effective remedies, including compensation and indemnification and healing of victims, and measures for the rehabilitation of perpetrators;

4/ A/51/325.

6. Invites Member States to consider adopting appropriate legal measures against intermediaries who deliberately encourage the clandestine movement of workers and who exploit women migrant workers;

7. Reiterates the need for States concerned, specifically the sending and receiving States of women migrant workers, to conduct regular consultations for the purpose of identifying problem areas in promoting and protecting the rights of women migrant workers and ensuring health, legal and social services for them, adopting specific measures to address those problems, setting up, as necessary, linguistically and culturally accessible services and mechanisms to implement those measures and, in general, creating conditions that foster greater harmony and tolerance between women migrant workers and the rest of the society in which they reside;

8. Encourages Member States to consider signing and ratifying or acceding to the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, 5/ as well as the Slavery Convention of 1926; 6/

9. Requests the United Nations High Commissioner for Human Rights, the Centre for Human Rights of the Secretariat and the Special Rapporteur, as well as all relevant bodies and programmes in the United Nations system, when addressing the issue of violence against women, to give particular attention to the issue of violence perpetrated against women migrant workers and to submit reports thereon to the General Assembly;

10. Emphasizes the need for accurate and comprehensive information as a basis for policy formulation;

11. Draws the attention of Governments, relevant United Nations organizations and bodies and intergovernmental and non-governmental organizations to the indicators of violence and vulnerability, the indicative list of data on the general characteristics of women migrant workers and the methods of data collection contained in the report of the Secretary-General, 7/ for use as a possible guide in the collection and organization of data which could serve as a basis for policy formation on the question, and requests the Commission on the Status of Women to consider that information at its regular session in March 1997, with a view to improving or refining it if necessary;

12. Draws attention to the recommendation of the Expert Group Meeting on Violence against Women Migrant Workers that the Administrative Committee on Coordination should serve as the focal point within the United Nations system responsible for effectively coordinating initiatives relating to violence

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5/ Resolution 45/158, annex.

6/ See Human Rights: A Compilation of International Instruments (United Nations publication, Sales No. E.94.XIV.1 (vol. I, Part I)).

7/ See A/51/125, annex, sect. III.

against women migrant workers, 8/ and requests the comments and recommendation thereon of the Commission on the Status of Women when it convenes in March 1997;

13. Also draws attention to the statement of the Secretary-General contained in his report that a message was sent by the Special Rapporteur of the Commission on Human Rights on violence against women which affirmed that violence was a fundamental issue of women's human rights, and that an analysis of the rights of women migrant workers was essential for the protection of those rights; 9/

14. Invites the regional commissions and the regional offices of the International Labour Organization to examine ways and means, within existing resources, of dealing with concerns pertaining to women migrant workers;

15. Requests the Secretary-General to report to the General Assembly at its fifty-second session on the implementation of the present resolution.

8/ Ibid., para. 70.

9/ Ibid., sect. II.B.